

CUSTOMER NO. 46900



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. Faller 5

In re application of: Christof Faller

Serial No.: 09/848,877

Group Art Unit: 2644

Filed: 05/04/01

Examiner: Brian T. Pendleton

Matter No.: 992.1007

Phone No.: 703-305-9509

For: Perceptual Synthesis of Auditory Scenes

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Allowability mailed on 5/18/06 contains an Examiner's Statement of Reasons for Allowance.

The Statement refers to independent claims 1, 16-19, 22-24, 35-38, 42-46, and 48-49. The Applicant submits that the application also has independent claim 47, to which the Examiner does not refer. To that extent, the Applicant objects to the Statement.

The Statement attempts to cite only a portion of the claim language from each of independent claims 1, 16-19, 22-24, 35-38, 42-46, and 48-49. The Applicant submits that those independent claims recite additional language not cited by the Examiner. To that extent, the Applicant further objects to the Statement.

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Certification Under 37 CFR 1.8

Date of Deposit 8/8/06

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

GERRY MARRERO
(Name of person mailing)

Gerry Marrero
(Signature of person mailing)


Moreover, the Applicant submits that the language in the Statement does not accurately characterize any of those claims. For example, the Statement suggests that each of independent claims 1, 16-19, 22-24, and 35 recites "applying two or more different sets of one or more spatial parameters to two or more different frequency bands of an input signal where at least one of the sets of spatial parameters corresponds to a combination of two or more different audio sources that takes into account relative dominance of the two more different audio sources." This paraphrasing of claim language differs from the exact language recited in each of those claims. The same, if not more, can be said for the paraphrasing of each of independent claims 36-38, 42-46, and 48-49. To that extent, the Applicant further objects to the Statement.

In general, to the extent that the Statement differs from the language of any of the independent claims, the Applicant rejects any narrowing or limitations that might possibly result from such differences.

For each of these reasons individually and for all these reasons collectively, the Applicant objects to the Statement.

Date: 8/8/06
Customer No. 46900
Mendelsohn & Associates, P.C.
1500 John F. Kennedy Blvd., Suite 405
Philadelphia, Pennsylvania 19102

Respectfully submitted,


Steve Mendelsohn
Registration No. 35,951
Attorney for Applicant
(215) 557-6657 (phone)
(215) 557-8477 (fax)



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**TRANSMITTAL OF NEW DRAWING(S) TO CORRECT
INFORMALITIES WITHIN THREE-MONTH PERIOD OF
RESPONSE SET IN NOTICE OF ALLOWABILITY (PTOL-37)**

Official Draftsman
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Notice of Allowance and Issue Fee Due mailed on 05/18/2006, the applicant herewith submits 6 new sheets of drawings to correct the informalities in the drawings as noted in the Notice of Draftsman's Patent Drawing Review (PTO Form 948).

Respectfully submitted,

Date: 8/8/06
Customer No. 46900
Mendelsohn & Associates, P.C.
1500 John F. Kennedy Blvd., Suite 405
Philadelphia, Pennsylvania 19102

Steve Mendelsohn
Steve Mendelsohn
Registration No. 35,951
Attorney for Applicant
(215) 557-6657

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I hereby certify that this paper and any accompanying papers or fees are being deposited with the U.S. Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gerry Marrero
(Name of person mailing)

Gerry Marrero
(Signature of person mailing)